

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TALIA JOYCE NO RUNNER,

Defendant.

CR-15-56-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 14, 2018. (Doc. 48.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and

Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a final revocation hearing on February 6, 2018. (Doc. 44.) No Runner admitted that she violated the conditions of her supervised release. (Doc. 48 at 1.) No Runner violated the conditions of her supervised release by 1) failing to participate in substance abuse treatment; 2) failing to report for substance abuse testing on December 26, 2017; 3) failing to report for substance abuse testing on December 29, 2017; 4) consuming alcohol on January 2, 2018; and (5) failing to report to the probation office within seventy-two hours of her release from prison. *Id.*

Judge Johnston has recommended that the Court revoke No Runner's supervised release. *Id.* at 4. Further, Judge Johnston has recommended No Runner should be sentenced to two months of incarceration, followed by thirty-four months of supervised release. *Id.* The Court finds no clear error in Judge Johnston's Findings and Recommendations. No Runner's violations of her conditions represent a serious breach of the Court's trust. A sentence of two months incarceration, followed by thirty-four months of supervised release, represents a sufficient, but not greater than necessary sentence.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 48) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Talia Joyce No Runner be sentenced to two months incarceration, followed by thirty-four months of supervised release.

DATED this 28th day of February, 2018.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris
United States District Court Judge